

### **REMARKS**

The Examiner's careful review and examination of the subject application are noted and appreciated. Applicants' representative respectfully thanks Examiner for the indication of allowable subject matter.

The present invention relates to a fuel cell comprising at least one hydrogen electrode pair in contact with a hydrogen stream, at least one oxygen electrode pair in contact with an oxygen containing stream, at least one electrolyte chamber, wherein the electrolyte chamber provides mechanical support within the fuel cell and provides a pathway for an electrolyte solution to contact the hydrogen electrode pair and the oxygen electrode pair, and at least one compression plate.

Applicants have carefully reviewed the above-identified Office Action. Applicants contend that, in view of the clarifying remarks set forth herein, all bases of objection and rejection have been overcome. Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of the claims submitted.

### **SUPPORT FOR AMENDMENTS TO THE SPECIFICATION**

The paragraph beginning on page 38, line 16 of the specification as originally filed incorrectly referenced U.S. Pat. App. No. 09/797,332 as 90/737,332. U.S. Pat. App. No. has since

issued as U.S. Pat. No. 6,620,539. The amendment to the specification submitted herewith reflects such changes.

Support for the amendment to the paragraphs on pages 17 to 19 of the specification as originally filed can be found in, for example, pages 25-30 of the specification as originally filed. As such, no new matter has been added.

#### **SUPPORT FOR CLAIM AMENDMENTS**

Support for amendment to the claims can be found in, for example, pages 27-32 of the specification as originally filed. As such, no new matter has been added.

#### **CLAIM OBJECTIONS**

Claims 10, 37, and 72 have been canceled from the presently pending application. As such the claim objections should be withdrawn.

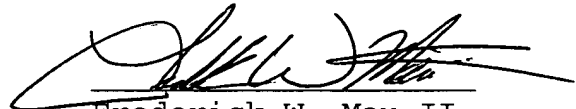
#### **CLAIM REJECTIONS UNDER 35 U.S.C. §112**

The rejection to claims 2-7, 70, and 73-79 under 35 U.S.C. §112 has been obviated by appropriate amendment and should be withdrawn.

Accordingly, Applicant submits that the present amendment places the application in condition for allowance. The Examiner is respectfully requested to pass the application to issuance.

The Examiner is respectfully invited to call the Applicants' representative should it be deemed beneficial to further advance prosecution of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. W. Mau II', is written over a horizontal line.

Frederick W. Mau II  
Reg. No 52,453

Date: June 11, 2004  
Energy Conversion Devices, Inc.  
2596 Waterview Drive  
Rochester Hills, MI 48309  
Tel. (248) 293-0440  
Fax. (248) 844-2273  
e-mail: [fmau@ovonic.com](mailto:fmau@ovonic.com)